

Message Text

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14

ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 PM-04 H-02 INR-07 L-03 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 NSCE-00 OMB-01

TRSE-00 /057 W

----- 067306

R 300128Z JUL 76

FM AMEMBASSY MANILA

TO SECSTATE WASHDC 8144

INFO SECDEF WASHDC

JCS WASHDC

CINCPAC HONOLULU

CINCPACFLT

CINCPACAF

CINCPACREPPHIL SUBIC

CG 13TH AF CLARK

C O N F I D E N T I A L MANILA 11221

CINCPAC ALSO FOR POLAD

FROM USDEL 164

E. O. 11652: GDS

TAGS: MARR, RP

SUBJECT: PHILIPPINE BASE NEGOTIATIONS: DAILY SUMMARY NO. 28

REF: STATE 184920 (DTG 262314Z JUL 76)

1. JULY 29 WAS LIGHT DAY FOR WORKING GROUPS AS COMMAND AND CONTROL AND LABOR GROUPS DID NOT MEET, AND CHAIRMEN'S LEGAL, AND TAXATION GROUPS MET HALF DAY ONLY. YET ANOTHER VERSION OF THE PREAMBLE APPEARED DESPITE AD REFERENDUM AGREEMENT JULY 28. FACILITIES GROUP APPEARED TO MAKE SOME PROGRESS TOWARD A VERSION OF ARTICLE II WHICH WOULD BRIDGE MAJOR DIVERGENCE IN US/RP POSITIONS. LEGAL GROUP COMPLETED WORK ON IMMIGRATION ARTICLE.

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2. CHAIRMEN'S GROUP MET IN MORNING SESSION ONLY. THIS

MEETING RESULTED IN YET ANOTHER DRAFT OF A PREAMBLE
DESPITE FACT ONE TEXT HAD BEEN AGREED AD REFERENDUM THE
PREVIOUS DAY. SULLIVAN THEN PERMITTED ROMUALDEZ TO READ
DEPT CABLE CONCERNING USE OF PILIPINO LANGUAGE AND
ROMUALDEZ UNDERTOOK TO CONVEY ITS IMPORT TO HIS SUPERIORS.
MEETING ADJOURNED WITH AGREEMENT TO CONVENE PLENARY SESSION
MORNING JULY 29 AND WORKING GROUPS IN AFTERNOON.

3. FACILITIES. EXTENDED DISCUSSION OF ARTICLE II
IN FACILITIES WORKING GROUP JULY 29 INDICATED THAT
FOR BOTH ARTICLE ITSELF AND ANNEX THERETO PHILS WOULD INSIST
UPON TWO SEPARATE GRANTS OF USE: ONE FOR LANDS (AND
POSSIBLY WATERS, DEPENDING ON MAP BOUNDARIES), AND
A SECOND FOR INDIVIDUAL BUILDINGS AND STRUCTURES, WITH
PRIMARY EMPHASIS ON THE SECOND GRANT. THIS WOULD BE
IRRECONCILABLE WITH U.S. PREMISE OF INTEGRATED FACILITIES
(REFTEL) AND WOULD ALSO RESULT IN INVENTORY LISTINGS
BECOMING A PART OF THE AGREEMENT. IN ORDER TO ELIMINATE
THESE PROBLEMS, WE ARE TENTATIVELY PURSUING FOLLOWING
APPROACH:

(A) A FORMAL AUTHORIZATION TO USE THE FACILITIES,
RATHER THAN A GRANT OF USE;?

(B) AN ANNEX A CONSISTING ONLY OF MAPS DELINEATING
THE BOUNDARY OF EACH FACILITY WITHIN A PHILIPPINE
BASE;

(C) SPECIFYING IN THE TEXT OF ARTICLE II THAT
THE FACILITIES COMPRISE LANDS, (WATERS), BUILDINGS
AND OTHER CONSTRUCTIONS WITHIN THE BOUNDARIES SHOWN
ON THE MAPS; AND

(D) PROVIDING AN INVENTORY LISTING OF ALL REAL
PROPERTIES (PERMANENT, SEMIPERMANENT AND TEMPORARY)
BY DIPLOMATIC NOTE ON SIGNATURE, TO BE UPDATED
ANNUALLY. THIS WOULD AVOID PREJUDGING QUESTION OF
TITLE TO PERMANENT STRUCTURES, AND ENSURE GOP
AUTHORIZATION FOR U.S. TO USE ALL PROPERTIES.

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(E) HAVING NO FORMAL DEFINITION OF "FACILITIES."

4. DISCUSSION ALONG THESE LINES, WHICH WE BELIEVE
TO BE ADVANTAGEOUS FROM U.S. STANDPOINT, WILL CONTINUE
ON JULY 30.

5. COMMAND AND CONTROL AND LABOR GROUPS DID NOT MEET.

6. LEGAL. AGREEMENT WAS REACHED ON A US-RP WORKING PAPER AD REFERENDUM CONCERNING IMMIGRATION WHICH GENERALLY EXEMPTS MILITARY PERSONNEL AND THEIR DEPENDENTS FROM THE PRESENT REQUIREMENT TO SECURE VISAS PRIOR TO TRAVEL TO THE PHILIPPINES. TEXT OF PROPOSED ARTICLE TRANSMITTED BY SEPTTEL.

7. TAXATION. WORKING GROUP SPENT SESSION PRODUCING SINGLE TEXT REFLECTING LIMITED AGREEMENT AND NUMEROUS DIFFERENCES IN BRACKETS. NO PROGRESS ON ANY ISSUES.
SULLIVAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY BASE AGREEMENTS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 30 JUL 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: izenbei0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MANILA11221
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760294-0329
From: MANILA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976075/aaaaadyk.tel
Line Count: 127
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 STATE 184920
Review Action: RELEASED, APPROVED
Review Authority: izenbei0
Review Comment: n/a
Review Content Flags:
Review Date: 02 MAR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <02 MAR 2004 by morefirh>; APPROVED <29 SEP 2004 by izenbei0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PHILIPPINE BASE NEGOTIATIONS: DAILY SUMMARY NO. 28
TAGS: MARR, RP, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006